

C O P Y

April 30, 1954

Richard C. Duncan

Attorney General

Eligibility for Aid of Recipient Who
Refuses to Seek Available Employment.

Mr. James J. Barry, Commissioner
Department of Public Welfare
State House Annex
Concord, New Hampshire

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CONCORD, N.H.

Dear Mr. Barry:

You have inquired whether a recipient of public assistance who, without valid reason, refuses to register with the appropriate agency for employment or refuses to candidate for a job after registration may be denied assistance under R.L. c. 126, s. 7 (VII) as inserted by c. 87, s. 1, Laws of 1953 which provides:

"Public assistance shall not be granted to anyone who has refused to accept available employment."

I assume that by use of the phrase "refusal to candidate" you mean refusal to apply for, or actively seek a job which the recipient has been informed is vacant and for which the applicant may possibly be hired.

It is my opinion that such conduct justifies refusal to grant aid under the above cited statute. The statute says that aid shall not be granted to one "who has refused to accept" an available job. It is clear that the intent and purpose of this section is to deny aid to an undeserving recipient who is content to receive public bounty without making an attempt to be as self-reliant as possible so as to reduce the public expense. Such a recipient cannot avoid the clear intent of the section by refusing, without valid reason, to seek available employment in the first instance.

Very truly yours,

Assistant Attorney General

RCD/T